MYSORE ACT No. XXVII OF 1952.

THE MYSORE PLACES OF PUBLIC RESORT ACT, 1952.

(Received the assent of His Highness the Rajpramukh on the Thirtieth Day of August 1952.)

An Act to provide for the inspection and licensing of places of public resort and entertainment.

Preamble.

WHEREAS it is expedient to provide for the inspection and licensing of places of public resort and entertainment ;

It is hereby enacted as follows :—

Short title, extent, commencement and saving.

1. (1) This Act may be called the Mysore Places of Public Resort Act, 1952.

(2) It extends to the [1][whole of the State of Mysore except Bellary District.]

(3) It shall come into force at once in the Cities of Bangalore, Mysore and Davangere and the Kolar Gold Field Sanitary Board Area ; and shall come into force in such other areas from such date as the Government may, by notification in the *Mysore Gazette*, specify in this behalf.

(4) Nothing in this Act shall apply to any church, temple, mosque or other place of public worship or to any place used for exhibition by means of cinematograph.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context—

(1) "building" includes any house, hut, shed or roofed enclosure ;

(2) "Government" means the State Government ;

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1. See the Mysore Adaptation of Laws Order, 1953.

(3) "Licensing Authority" means in respect of the Cities of Bangalore and Mysore, the City Magistrate and in respect of any other area such Magistrate as the Government may, by notification in the *Mysore Gazette*, authorise in this behalf.

No enclosed place or building with area of three hundred square feet to be used for public resort without license.

3. No enclosed place or building, whether permanent or temporary, having an area of not less than three hundred square feet, shall be used for public resort or entertainment, unless a license has been previously obtained in the manner hereinafter provided.

Authority to whom application should be made.

4. When any person desires to obtain a license to use any enclosed place or building for public resort or entertainment or to construct any enclosure or building for such purpose, he shall apply to the Licensing Authority setting forth the name of the owner of the place or building, its situation, size, and description ; the material of which the enclosure or building is made or proposed to be made, whether it is, or is proposed to be permanent or temporary and the purpose for which it is proposed to be used.

Authority shall inspect and may require addition or alteration to place or building.

5. Upon the receipt of any such application the Licensing Authority shall inspect or cause to be inspected the place or building in respect of which a license is required and may require the applicant, by notice in writing, to make any alteration or addition to the material or arrangement of the enclosure or building, or in the precautions for the safety of the public to be assembled therein, and may refuse to grant a license until the alteration or addition is made.

When Licensing Authority to grant license.

6. (1) If the Licensing Authority is satisfied—

(*a*) that the enclosed place or building may safely be used for the purpose of public resort or entertainment;

(*b*) that no objection, arising from its situation, ownership or the purpose proposed, exists;

it shall give to the applicant a written license signed by it, specifying the enclosure or building and the purpose for which it is to be used.

Such license shall be in such form and subject to such fee and conditions as the Government may from time to time by rules prescribe.

(2) If the Licensing Authority is not satisfied as aforesaid it may for reasons to be recorded in writing, refuse to grant a license.

License to state period for which it is to be in force.

7. Every license granted under this Act shall state the period for which it is to continue in force, and shall cease to be in force on the expiration of that period.

Revocation or suspension of license.

8. The Licensing Authority may for reasons to be recorded in writing, revoke or suspend the license when it has reason to believe—

(*a*) that the license has been fraudulently obtained;

(*b*) that the enclosed place or building has been used for other purposes of public resort or entertainment than that for which the license was granted;

(*c*) that the place or building can no longer be safely used for the purpose for which the license was granted.

Appeal against order under sections 5, 6 and 8.

9. (1) Any person aggrieved by an order under sections 5, 6 and 8 may, within thirty days from the date on which he received the order, appeal to the District Magistrate of the District.

(2) The District Magistrate shall have the same power to inspect and to require alteration or addition in the enclosed place or building as the Licensing Authority and may either grant or withhold the license or make such other order as he thinks fit.

Power to enter place of public resort, to inspect license or to prevent further use.

10. It shall be lawful for any Magistrate or Officer of Police in charge of a station or of higher rank than Head Constable to enter at any time any enclosure or building for which a license is required under this Act, to inspect the license, if any, has been issued, and if there is no license or if the conditions of the license are not observed or if he sees reason to apprehend immibent danger to the public, to prevent the further use of such enclosure or building as a place of public resort or entertainment.

11. The District Magistrate may call for and examine the record of any proceedings taken under this Act, may call for any report in connection therewith, make or cause to be made any further inquiry, and may pass any order which the authority holding the proceeding might have passed. District Magistrate may revise any proceedings under this Act.

12. Every person who, having the immediate control of any enclosed place or building, permits it to be used for public resort or entertainment without having obtained a license, or having obtained a license under this Act, permits such use in contravention of any of the conditions of such license, shall be liable, on conviction before a Magistrate, to a fine which may extend to five hundred rupees. Penalties.

13. The Government may, subject to the condition of previous publication, by notification in the *Mysore Gazette*, make rules for carrying out the purposes of this Act. Power to make rules.